

BOARD OF MAYOR AND ALDERMEN

April 19, 2005

7:30 PM

Mayor Baines called the meeting to order.

The Clerk called the roll. There were fourteen Aldermen present.

Present: Aldermen Roy, Gatsas, Guinta, Sysyn, Osborne, Porter, O'Neil,
Lopez, Shea, DeVries, Garrity, Smith, Thibault, Forest

Mayor Baines stated before I make a presentation I do have an important announcement to make. We received some very good news about our City today. *Inc.* magazine rated Manchester in the top 25 places in America to do business. In 1991, we were ranked 296 out of 300. And, I'll just read the last part of it to you and this will be in the media tomorrow. "How the best places to do business in American were chosen. *Inc.* measured current year employment growth in 274 regions as defined by the Bureau of Labor Statistics as well as current trends in the annual average growth over the past three years and compared employment expansion in the first half versus the second half of the last decade. Job growth factors account for approximately two-thirds of the final score for each city and the balance among industries accounts for approximately one-third of the final score." This is another indication of the tremendous job growth that's occurring here in the City of Manchester, the business friendly environment that's been created in the City. Thousands of new jobs have come into the City over the past several years and I'd like to congratulate all in City government and the Board of Mayor and Aldermen for working with us to make this recognition possible. As you can see this is the first time that Manchester has appeared in the overall category, we were mentioned last year in the small metro areas but this is in the general category with other cities. As you can see on here number one was Reno, Nevada and number 25 was Burlington, Vermont...we're the only other community in New England even mentioned and we're just below Orlando, Florida and Knoxville, Tennessee and Las Vegas, Nevada. So, this is a great honor and further recognition of the dynamic growth of our great City. And, we should celebrate good news so we appreciate that recognition.

3. Presentation by Mayor Baines proclaiming Vietnam Veterans Recognition Week.

Mayor Baines stated could we have our distinguished group come up with us, our Vietnam veterans for this recognition...I'd like all of you to come up. Could any of the veterans on the Board of Mayor and Aldermen...I know I have some fellow veterans on the Board, if

you could come up and stand with me as well. Anyone who has had the honor of wearing the uniform of our great country as I have and others in this room have had today know it's very important to recognize those who have provided this distinguished service in some of the most turbulent and troublesome times in our country's history. What always amazes me as a citizen of our country to see the heroic efforts of young men and women in the most significant historical times in the history of our country...people who are ready and willing to serve. So, it's with that spirit especially having lived through the Vietnam era...I know I was in basic training when the United States invaded Cambodia and know the turbulent times that all of us went through that were serving during the time of the Vietnam War and I had a brother that was serving over in Vietnam at that time, I also had another brother who served in Korea and we know the great sacrifices that are servicemen and women make. So, it's with the spirit, on behalf of the Board of Mayor and Aldermen and the citizens of Manchester that I present this proclamation.

PROCLAMATION

- Whereas,** this nation is kept strong and free by the loyal citizens who preserve our precious American heritage through their positive patriotic declarations and actions; and
- Whereas,** Manchester's Vietnam veterans occupy a place of honor in the hearts and minds of their fellow citizens; and
- Whereas,** all citizens should make it their duty to honor the service of Vietnam veterans and to reaffirm their strong allegiance to our Flag and Country; and
- Whereas,** tonight's ceremony is merely a token of deep appreciation the citizens of Manchester feel for the Vietnam veterans who live among us,

NOW, THEREFORE, I Robert A. Baines, by the virtue of the authority vested in me as the Mayor of the City of Manchester in the State of New Hampshire, do proudly proclaim the week of May 1, 2005 through May 7, 2005 to be

VIETNAM VETERANS RECOGNITION WEEK IN MANCHESTER

In witness whereof, I have hereunto set my hand and cause the Seal of the city to be affixed this 19th day of April 2005.

s/Robert A. Baines, Mayor
& all Aldermen

and I call upon all of our citizens to join with me in saluting these brave men and women who served our country during the Vietnam era. Congratulations, gentlemen, it's an honor to be in your presence this evening.

Commander Gerald F. Says presented a citation to Alderman Lopez stating as follows:

Vietnam era combat vet, Mike Lopez, your services made a difference.

This citation in recognition of your proud service.

In recognition of your service during the Vietnam War the Veteran's of Foreign Wars presents this citation as a token of our appreciation from the men and women of Post 8214.

s/Gerald F. Says, Commander
Vietnam Veterans of Foreign Wars 8214

Mayor Baines stated gentlemen if you could just take some time and shake hands with members of the Board so that they can congratulate you personally as well.

Once again, congratulations.

Mayor Baines called upon Fred Rusczek, Public Health Director. Shortly after I became Mayor in the year 2000 I began a regular ceremony to recognize employees in the City of Manchester who reach certain milestones of service and we've continued that over the past six years that I've been Mayor and we're going to continue it well into the future. I've always felt that it's important to recognize people at certain milestones and what I say when we have these ceremonies here in the Chambers filled with employees I tell them that mayors and aldermen come and go it's the people who serve our City in various capacities that do us proud by delivering services to the citizens of the City of Manchester. It's very easy as a mayor, as an alderman to take credit for what happens in the City but I know the credit largely goes to the employees who give of themselves, their time and their effort and their commitment to our great City and I was not able to present this most recently but we asked for the privilege of presenting it this evening to recognize a gentleman whom I consider to be one of the premier public servants here in the City. He has one of the most difficult jobs as you know dealing with public health issues and he has positioned our public Health Department in the forefront of public health department's in our nation because of his innovative work, his collaborative work environment and his commitment to our community. So, it's a great honor for me, on behalf of the Board of Mayor and Aldermen and the citizens of Manchester, to recognize Fred Rusczek for 30 years of services to the City of Manchester, congratulations.

Mr. Rusczek stated thank you. I'm here because when the 30-year pins were passed out to many City employees who made it through 30 years they didn't have one left for me so I've had the good fortune of coming here. Really though I should be here thanking the Board and the community for being such a wonderful place to work. The innovative services that we provide is because the Board of Aldermen through the years have been very supportive along the changes that we need to make to stay ahead of the curve. So, I thank all of you and thank you for recognizing me for my longevity.

Mayor Baines stated also Ron Ludwig is here and another distinguished public servant who recently received his 30-year recognition as well, congratulations Ron.

Mayor Baines stated before we move to the Consent Agenda we are going to remove Item C from the agenda this evening; that has been referred to the Committee on Accounts, Enrollment and Revenue Administration where all issues related to budget shortfalls have been referred. So, that has been removed from the agenda.

- C. Communication from the Director of Parks, Recreation and Cemeteries advising of anticipated shortfalls in the general fund salary and restricted line items in the FY05 budget.

CONSENT AGENDA

Mayor Baines advised if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Informational – to be Received and Filed

- A. Communication from Comcast submitting the franchise fee payment for the 1st quarter of 2005 in the amount of \$298,581.89.
- B. Communication from Comcast advising the launch of PBS Kids Sprout On Demand and on May 12, 2005 HBO will only be available as part of the Digital Cable Channel lineup.

REFERRALS TO COMMITTEES

COMMITTEE ON FINANCE

- D. Resolutions:

“Amending the FY2005 Community Improvement Program, authorizing and appropriating funds in the amount of One Million One Hundred Seventy Eight Thousand Five Hundred Eighty Four Dollars (\$1,178,584) for various Homeland Security & Hazardous Material Projects.”

“Amending the FY2005 Community Improvement Program, authorizing and appropriating funds in the amount of Five Thousand Dollars (\$5,000) for the 2005 CIP 214205 Endowment for Health – Health Link Program.”

“Amending the FY2004 and 2005 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Eighty Six Thousand Eight Hundred Fifty Two Dollars and Ninety Five Cents (\$86,852.95) for the 2005 CIP 510005 Park Facilities Improvement Program.”

“Amending the FY2005 Community Improvement Program, authorizing and appropriating funds in the amount of Two Hundred Sixty Thousand Dollars (\$260,000) for the 2005 CIP 710205 Public Works Infrastructure Program.”

“Authorizing the Finance Officer to effect a transfer of Fifty Thousand Dollars (\$50,000.00) from Contingency to Environmental Protection Division – Fuel Oil.”

REPORTS OF COMMITTEES

COMMITTEE ON BILLS ON SECOND READING

E. Recommending that Ordinances:

“Amending Sections 33.024, 33.025 & 33.026 (Ski/Aquatics Maintenance Worker) of the Code of Ordinances of the City of Manchester.”

“Amending Sections 33.024, 33.025 & 33.026 (Waste Water Treatment Plant Operator Trainee) of the Code of Ordinances of the City of Manchester.”
ought to pass.

F. Recommending that Ordinance:

“Amending Chapter 39: Procurement Code of the Code of Ordinances of the City of Manchester by deleting Chapter 39 in its entirety and inserting a new Chapter 39: Procurement Code.”
ought to pass as amended.

G. Recommending that Ordinance:

“Amending Chapter 52: Sewers of the Code of Ordinances of the City of Manchester by amending Section 52.160(A)(2), Sewer Rental Charges and Section 52.161 Septage Service Charge by increasing the user charges and septage service charges in the City of Manchester.”
ought to pass.

H. Recommending that Ordinance:

“Amending Chapter 71: Snow Emergency Regulations, Sections 71.03 and 71.99 of the Code of Ordinances of the City of Manchester increasing the penalties for violation of snow emergency winter parking.”
ought to pass.

COMMITTEE ON COMMUNITY IMPROVEMENT

I. Recommending that the Board authorize acceptance and expenditure of funds in the amount of \$1,178,584 for various Homeland Security & Hazardous Material Projects, and for such purpose a resolution and budget authorizations have been submitted.

- J.** Recommending that the Board authorize acceptance and expenditure of funds in the amount of \$5,000 for 2005 CIP 214205 Endowment for Health – Health Link Program, and for such purpose a resolution and budget authorization has been submitted.
- K.** Recommending that the Board authorize transfer and expenditure of funds in the amount of \$86,852.95 for 2005 CIP 510005 Park Facilities Improvement Program, and for such purpose a resolution and budget authorizations have been submitted.
- L.** Recommending that the Board authorize acceptance and expenditure of funds in the amount of \$260,000 for 2005 CIP 710205 Public Works Infrastructure Program, and for such purpose a resolution and budget authorization has been submitted.
- M.** Recommending that a petition to discontinue a portion of Gay Street be referred to a Road Hearing to be scheduled at a later date by the Office of the City Clerk.
- N.** Recommending that a petition for dissolution of Madison Street be referred to a Road Hearing to be scheduled at a later date by the Office of the City Clerk.

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- R.** Advising that it has approved an Ordinance:
“Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by amending Section 70.40 Towing by increasing the towing fees.”
and recommends same be referred to the Committee on Bills on Second Reading for technical review.
- S.** Recommending that regulations governing standing, stopping, parking and operation of vehicles be adopted and put into effect when duly advertised and posted.

HAVING READ THE CONSENT AGENDA, ON MOTION OF ALDERMAN O’NEIL, DULY SECONDED BY ALDERMAN SMITH, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED.

Report of the Committee on Community Improvement:

- O.** Recommending that the Goffstown Babe Ruth Baseball League be allowed to acquire the former “Singer Field” lights at a cost of \$15,000.

Alderman Forest stated I wasn’t at the CIP meeting and I know they’re recommending that these lights be sold to the Goffstown Babe Ruth Baseball League but from what I understand Alderman Smith has a baseball field in his ward that’s supposed to have lights and I don’t know why these aren’t going there instead.

Alderman Smith stated we had a meeting at Parks and Recreation...it would be a substantial amount of money to put the lights down at the Piscataquog River Park...we’re talking between I believe \$100,000 to \$150,000 just to put the lights in and it’s just that he doesn’t

have the money in the budget and we didn't have the money in parks for the Piscataquog River Park to do the ballfield. So, in fact, it's a misinterpretation here...it's for the Goffstown High School and not the Babe Ruth League.

Alderman O'Neil moved to accept, receive and adopt the report of the Committee on CIP>
Alderman Thibault duly seconded the motion.

Alderman Gatsas stated Alderman Smith maybe you can help me. You're just saying about the installation...maybe Mr. Ludwig...

Mayor Baines called upon Mr. Ludwig.

Alderman Gatsas asked Ron what would it cost to replace these lights if we were to have to buy them new?

Mr. Ron Ludwig, Director of Parks, Recreation & Cemeteries replied I would say these lights...again, I wasn't part of the Singer project, I know a little bit about them. I would say you're looking at maybe \$125,000 to \$150,000 if you were going to replace them new but what you have to understand is that you're not getting (1) they're not new...musco lights are a great system but the way they're installed and the way they would need to be retrofitted you're talking about a significant investment to get them back into what you call new condition and that's one of the reasons we did not recommend them at the stroke of midnight to go into the Memorial complex.

Alderman Gatsas asked would they fit in the Piscataquog River complex?

Mr. Ludwig replied again when we were asked to move them by members of the developer's team or the City's team that was dealing with Singer Park issues at the time we weren't sure of that. We did spend some money to move them and store them at Piscataquog but when we bid that project out it came in significantly over budget and then had some discussions with Alderman Smith who basically said let's forget the lights over there for now because it's not in the budget and hence we just continued to store them.

Alderman Gatsas stated maybe Kevin can help me...these funds would go to the general fund, Kevin, or could we send them to Parks & Recreation to reduce their deficit?

Mr. Kevin Clougherty, Finance Officer, replied my understanding is that these would come back to the general fund. They were purchased with general fund dollars.

Mayor Baines stated any revenues that comes back into the City goes into the general fund.

Mr. Ludwig stated I don't think it's a windfall but actually we spent \$15,000 just under when we were asked to move them...there's no other agency in the City that took it upon themselves to move them...I spent \$15,000 out of a Parks Improvement account that's set up for us each year by Mr. MacKenzie so I would appreciate getting the \$15,000 back.

Mayor Baines stated wasn't that in last year's budget though. A lot of people would like to get money back out of last year's budget.

Alderman Shea stated just to be clear. If in fact we were to put lights over at Piscataquog it would run the City approximately \$150,000 or thereabouts.

Mr. Ludwig stated I don't think it would be quite that high.

Alderman Shea stated it would be less.

Mr. Ludwig replied I believe so.

Alderman Shea stated and that would be a new set of lights, correct.

Mayor Baines stated I think the discussion would be if we were not to put those lights over there eventually put some other lights over there would it be cheaper.

Mr. Ludwig stated it would be cheaper in what you're getting is a commitment from the company, a full warranty and guarantee going forward which in my opinion is worth a lot.

Mayor Baines stated so that would be your recommended course of action in the future.

Alderman Smith stated also Ron didn't mention...as you well know we had to store those lights and I believe it was \$100/month...that's \$1,000 there and I you remember correctly first they were going to go from Singer Park up to Derryfield Park and then they were going to Memorial and then they were going to go to the Piscataquog Park and they're still down in the trailer near Piscataquog River Park and it's \$100/month for storage and I think that since we have our people in Goffstown interested I think that we should sell them.

Alderman Lopez asked did the money for the storage come out of the Enterprise Fund or the General Fund.

Mr. Ludwig replied the General Fund.

Alderman DeVries stated for Finance...is there another way if this is included in our budget that those funds can be dedicated to go back into that CIP account.

Mr. Clougherty stated the '04 account.

Alderman DeVries stated I assumed it was on going but if it's part of our budget process, the \$15,000 revenue can be dedicated to an account.

Mr. Clougherty stated I would be happy to look at it. A lot of this will be dictated by when the money comes and when this transfer occurs, which fiscal year is it going to be and I'll be happy to take a look at it. I've not been asked to until now...when the money comes and what the possible options are.

Mayor Baines called for a vote on the motion to accept the report. There being none opposed, the motion carried.

Alderman O'Neil stated we ought to recognize the Principal from Goffstown High, Frank McBride who showed up at the CIP meeting and is here this evening. The CIP Committee did say we would give Goffstown some time to work out paying us.

Report of the Committee on Community Improvement:

- P.** Advising that they have approved acceptance of a new trailer from Ron's Toy Shop for use by the Manchester Police Mounted Patrol Unit.

Alderman Roy stated I just wanted to give a very quick thanks to the Mounted Patrol for going out into the community and soliciting donations...their latest donation is a trailer from Ron's Toy Shop and so I just wanted to extend...instead of leaving this on the Consent Agenda, a thank you to the crew at the Mounted Unit and all the volunteers that they have working for them. That entire program is almost zero funded now from the taxpayers and as everyone knows it does contribute quite a bit to the City. I would also like to extend for everyone who has seen them on the television advertisements put on by the Singer Family and Merchant Motors their commitment to the Mounted Unit through training and dollars has been just outstanding. So, thank you and I'd like to move it along.

Alderman Roy moved to accepted receive and adopt the report of the Committee on CIP.
Alderman Shea duly seconded the motion.

Alderman Forest stated I think Alderman Roy forgot that we have to give thanks to Ron's Toy Shop also for donating the trailer.

Mayor Baines called for a vote on the motion. There being none opposed, the motion carried.

Report of the Committee on Finance:

- Q. Recommending that a report of the Committee on Administration regarding the proposed agreement with MCAM be approved with amendments as enclosed herein.

Alderman Lopez moved to discussion. Alderman DeVries duly seconded the motion. There being none opposed, the motion carried.

Alderman Gatsas asked is that a different procedure than usual.

Mayor Baines replied it's probably the proper procedure.

Alderman Gatsas stated I know there's been a lot of discussion about this and in no way should anybody think that I'm not in favor of MCAM moving on their own two feet. My position has always been that they should come to the City looking for funding. I'm sure that this Board would never not fund MCAM but I don't think there should be a lease that automatically indentures the City to a one percent (1%) basis on the funds that we receive from Comcast because if you all remember when we first negotiated the original Comcast deal some five years ago that MCTV had to pay half of 8% that was dedicated directly to them and a lot of members that are still on this Board who were on that Board back then were very adamant about leaving a percentage that was into a dedicated fund. I think that when we start doing that we start setting bad precedent. So, with that your Honor I will make a motion that this be referred back to Finance so that we can finance the MCAM project with a budget because the plan that was given to us some six months or a year ago is some \$50,000 more than what it was then and I think that that is just an accommodation to show that they can spend 1% so I think it really behooves us as a Board when we're talking about frugality and we're looking for pennies that certainly just allocating a fund and not conserving all those pennies is not really the proper way of doing things. So again, your Honor, in no way should anybody conceive that I'm not looking for MCAM to move. I certainly am in favor of that but I think that there has to be some oversight in the position that they bring forward.

Deputy City Clerk Johnson stated I just wanted to clarify that the report of the Committee on Administration is not enclosed with this as had been approved by the Committee along with this agreement and it was my understanding there was supposed to be an amendment to that.

Alderman Lopez stated all the Board members remember because it went to the Committee on Finance that the public access of MCTV be transferred to MCAM effective July 1, 2005; that the Board approve an agreement between the City and MCAM and further authorize the Mayor to execute same on behalf of the City subject to the review and approval of the City Solicitor; that \$350,000 be transferred from MCTV CIP to MCAM upon execution of such agreement effective July 1, 2005; transfer of \$120,000 from MCTV which will be a

correction which is what the Clerk is speaking of...it's \$116,000; effective July 1, 2005 transfer \$116,000 from MCTV's 2006 budget to MCAM creating a special item for MCAM; and annual payments to be made to MCAM on or before October 31st out of the first quarter cable company revenues based on 20% of the previous four quarters ended June 30th of each year of this agreement that's in force. There has been a change in the term agreement which the City Solicitor has attached to the agenda and I'm sure the Aldermen have read the terms of the agreement...that was in there and the other amendment is also in the agreement.

Mayor Baines asked does that need to be included in the motion, Carol?

Deputy City Clerk Johnson replied yes it does, your Honor. Actually, what I would prefer is to have Alderman Lopez and Alderman DeVries withdraw their original motion and move to amend the report to include the \$116,000 and what was just read into the record.

Alderman Lopez withdrew his original motion. Alderman DeVries withdrew her second.

Alderman Lopez moved to amend the report of the Committee to include the \$116,000 and other items outlined in the Committee on Administration report referred to by the Clerk. Alderman DeVries duly seconded the motion.

Alderman Guinta asked has the MCAM Board ratified the changes that were made.

Mayor Baines replied yes and called for a vote on the motion to amend the report. The motion carried with Alderman Gatsas duly recorded in opposition.

Alderman DeVries moved to accept the report as amended. Alderman Shea duly seconded the motion. A roll call vote was taken on the motion. Alderman Gatsas voted nay. Aldermen Guinta, Sysyn, Osborne, Porter, O'Neil, Lopez, Shea, DeVries, Garrity, Smith, Thibault, Forest and Roy voted yea. The motion carried.

Nominations

There were no nominations presented by Mayor Baines.

Nomination - Michael Langton, Board of School Committee, Ward 2

Alderman Gatsas stated I have a nomination, your Honor. I nominate Mike Langton for the School Board position in Ward 2.

Mayor Baines asked what is the procedure?

Alderman Gatsas replied confirmation.

Mayor Baines stated he's nominating somebody for the vacant School Board position in Ward 2 so he just makes the nomination, has it seconded.

Alderman O'Neil duly seconded the motion.

Alderman Shea asked what are we talking about. I couldn't hear what you said.

Mayor Baines stated he is nominating Michael Langton to the vacant School Board position in Ward 2.

Alderman Shea asked who is Michael Langton if I might ask. I don't know him.

Alderman Gatsas replied he's a resident of Ward 2.

Alderman Shea stated period.

Alderman Gatsas stated period.

Alderman Shea stated there's no other information.

Alderman Gatsas stated I think that's all the information that normally this Board is given when there's a nomination put in by an Alderman for a School Board position.

Alderman Shea stated usually we get some background on the person. I don't know Michael Langton not that I'm opposed to him but I really don't know his, your Honor, could you give us some background on him.

Alderman Gatsas stated John Kacavas was nominated, Judy O'Brien was nominated and neither one of those people had resumes.

Mayor Baines stated it's probably because people knew the individuals. It's up to the Board.

Alderman Porter asked is this confirmed this evening as well?

Mayor Baines replied yes it is.

Alderman Porter stated there's no layover.

Mayor Baines stated it doesn't layover.

Deputy City Clerk Johnson stated we were going to suggest a suspension of the rules if you're not going to lay it over.

Alderman Porter stated normal procedure would be to layover for two weeks unless the rules are suspended.

Alderman Gatsas moved to suspend the rules.

Mayor Baines stated the motion on the floor right now is nominating the person.

Deputy City Clerk Johnson stated we want to close the nominations and then you need to...you need to go through the process. My understanding is Alderman Gatsas has nominated Michael Langton and if there are no other nominations you would want to get a motion to close nominations.

Mayor Baines stated so the Aldermen individually would make the nomination.

Deputy City Clerk Johnson stated other Aldermen could make a nomination if they so desire.

Mayor Baines stated it doesn't need to be seconded at this point.

Deputy City Clerk Johnson replied that is correct.

Mayor Baines asked are there any other nominations.

On motion of Alderman Gatsas, duly seconded by Alderman Roy, it was voted to close nominations.

Alderman Gatsas moved to suspend the rules to confirm the nomination of Mr. Langton as the Ward 2 representative to the Board of School Committee.. Alderman Garrity duly seconded the motion. There being none opposed, the motion carried.

Alderman O'Neil moved to confirm the nomination of Michael Langton as the Ward 2 representative of the Board of School Committee. Alderman Roy duly seconded the motion. There being none opposed, the motion carried.

Mayor Baines stated with all due respect I think in the future...when I do submit nominees I submit resumes with them unless it is someone that everybody knows and I think as part of the rules of the Board we may want to consider having resumes submitted.

On motion of Alderman Thibault, duly seconded by Alderman Osborne, it was voted to recess the regular meeting to allow the Committee on Finance to meet.

Mayor Baines called the meeting back to order.

OTHER BUSINESS

8. A report of the Committee on Finance was presented recommending that Resolutions:

“Amending the FY2005 Community Improvement Program, authorizing and appropriating funds in the amount of One Million One Hundred Seventy Eight Thousand Five Hundred Eighty Four Dollars (\$1,178,584) for various Homeland Security & Hazardous Material Projects.”

“Amending the FY2005 Community Improvement Program, authorizing and appropriating funds in the amount of Five Thousand Dollars (\$5,000) for the 2005 CIP 214205 Endowment for Health – Health Link Program.”

“Amending the FY2004 and 2005 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Eighty Six Thousand Eight Hundred Fifty Two Dollars and Ninety Five Cents (\$86,852.95) for the 2005 CIP 510005 Park Facilities Improvement Program.”

“Amending the FY2005 Community Improvement Program, authorizing and appropriating funds in the amount of Two Hundred Sixty Thousand Dollars (\$260,000) for the 2005 CIP 710205 Public Works Infrastructure Program.”

“Authorizing the Finance Officer to effect a transfer of Fifty Thousand Dollars (\$50,000.00) from Contingency to Environmental Protection Division – Fuel Oil.”

ought to pass and be enrolled.

Alderman Forest moved to accept, receive and adopt the report of the Committee on Finance.

Alderman Smith duly seconded the motion. There being none opposed, the motion carried.

9. Communication from Fred Rusczek, Public Health Director, requesting an unpaid leave of absence on behalf of Patricia Turcotte, RN, BSN, for a period anticipated to be four to eight weeks to tend to family matters out-of-state.

Alderman Thibault moved to approve a request of Fred Rusczek for an unpaid leave of absence on behalf of Patricia Turcotte. Alderman Roy duly seconded the motion. There being none opposed, the motion carried.

Mayor Baines stated we’re going to hold up for a minute we have a delegation from Latvia. They’ve come to see democracy in Manchester at work.

Alderman O’Neil stated while we have a minute. Carol had sent out a communication to yourself and all the Board members on April 5th that any Alderman wishing to have any other departments appear before the Finance Committee to please contact the Clerk’s office and she’s yet to hear from anyone so does that mean that everyone’s all set. They were supposed to get back to her by the 15th.

Mayor Baines stated if not please follow up on that.

Mayor Baines called upon Ambassador Bruno. Welcome to City Hall and I'd like you to...we'll wait till everybody comes in but we'll invite you to say a few words so that we can meet this distinguished delegation and welcome them to City Hall.

Ambassador George Bruno stated Mr. Mayor and members of the Board of Mayor and Aldermen thank you very much for receiving this delegation from Latvia this evening...one of the newest NATO partners of the United States. I have the honor to present to you Mr. Turliss who is the leader of the delegation and the other fifteen distinguished members of the delegation from the Ministries of the Interior, Ministries of Justice and Ministries of Transportation...all very distinguished leaders in Latvia. We are spending several days in New Hampshire visiting sites of emergency management and Homeland Security. We have visited the Coast Guard, the Seabrook Nuclear Power Plant, the National Guard, Elliot Hospital...Chief Kane has invited us over to the fire station to observe the hazmat and other firefighting equipment and Mr. Mayor we are so pleased and honored that the City would welcome this delegation.

Mayor Baines stated welcome, welcome to Manchester. Would you like to say a few words?

Mr. Turliss stated Mr. Mayor thank you for your hospitality and your great welcome for our Latvian delegation. We are really satisfied to be here in your State, in your City...Latvia is a small State, a little more than two million people but Latvia is our land and our soul and from the first days of our independence in the beginnings of the 90's we have really close and very fruitful relations with the United States and in 1994 President Clinton visited in Rega and soon before our 15th anniversary of our independence President Bush will visit Rega at the beginning of May. I think these are very significant events when in a small state the President of the United States for ten years we have two visits and we understand and we have to say a great thank you for the United States to support our independence and what is result of our relationship and we become members of NATO and there has been union and we have together Afghanistan. I hope our relations will develop and we will be together...our relations will be close for the peace in the world. Thank you very much for your hospitality and what a nice City.

Mayor Baines stated thank you very much. Thank you for visiting.

Ambassador Bruno stated I would like to present you with this Certificate of Appreciation from the Partners for Peace for your gracious hospitality this evening.

Mayor Baines stated than you very much, Mr. Ambassador.

Mr. Turliss stated I have one important task. I bring best wishes for you, for your City from Rega our capital and with a small souvenir, memory of the Latvian delegation visit to your City.

Mayor Baines stated thank you very much. Sir, why don't you come up and go around and shake hands with members of the Board on behalf of your delegation.

Mayor Baines stated we would like to officially welcome you to our historic City Hall and we have an understanding that our history does not run as deep and as long as other countries around the world. I just came back from a trip to Israel recently and really recognizing how not insignificant certainly but how short a time span our great country has been founded, but you're in a building that's old to us at least. It's the original seat of government in our City when our City was founded in the 1850's and you're actually sitting in the room where our original government assembled to create a democratic and representative government for the citizens of our City. So, this is a very important building to us that has stood the test of time, it's a really significant building for the history of our City and not only that but for the future of our City as well. So, we welcome you to these historic chambers. Looking at you tonight are 14 members of the Board of Mayor and Aldermen. We have 12 wards in the City...12 of them elected to represent the wards in the City and then we have two members that are elected by all the citizens of the City, Alderman O'Neil and Alderman Lopez, the rest of them represent individual wards in the City. So, we welcome you and enjoy to sit back and relax and watch as we finish the rest of our agenda this evening. And, because you're here we will be on our best behavior.

- 10.** Warrant to be committed to the Tax Collector for collection under the Hand and Seal of the Board of Mayor and Aldermen for the collection of sewer charges.

Deputy City Clerk Johnson stated the amount is \$70,961.96.

On motion of Alderman Lopez, duly seconded by Alderman Forest, it was voted to commit the warrant in the amount of \$70,961.96 to the Tax Collector under the Hand and Seal of the Board of Mayor and Aldermen.

- 11.** Resolutions:

“Amending the FY2005 Community Improvement Program, authorizing and appropriating funds in the amount of One Million One Hundred Seventy Eight Thousand Five Hundred Eighty Four Dollars (\$1,178,584) for various Homeland Security & Hazardous Material Projects.”

“Amending the FY2005 Community Improvement Program, authorizing and appropriating funds in the amount of Five Thousand Dollars (\$5,000) for the 2005 CIP 214205 Endowment for Health – Health Link Program.”

“Amending the FY2004 and 2005 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Eighty Six Thousand Eight Hundred Fifty Two Dollars and Ninety Five Cents (\$86,852.95) for the 2005 CIP 510005 Park Facilities Improvement Program.”

“Amending the FY2005 Community Improvement Program, authorizing and appropriating funds in the amount of Two Hundred Sixty Thousand Dollars (\$260,000) for the 2005 CIP 710205 Public Works Infrastructure Program.”

“Authorizing the Finance Officer to effect a transfer of Fifty Thousand Dollars (\$50,000.00) from Contingency to Environmental Protection Division – Fuel Oil.”

On motion of Alderman O’Neil, duly seconded by Alderman DeVries, it was voted to dispense with the reading of the Resolutions by titles only.

Alderman Osborne moved that the Resolutions pass and be enrolled. Alderman Smith duly seconded the motion. The motion carried with Alderman Gatsas duly recorded in opposition to the 510005 Park Facilities Improvement Program Resolution.

NEW BUSINESS

Mayor Baines stated Chief Jaskolka if you could come up. I’d like you to address some of the issues that have been going on in the community lately in terms of some of the vandalism and just report what’s going on from the Police Department and urge the citizens how they can contact Crime Line and the Police Department if they have any information. First of all, there was a very well-deserved editorial in the *Union Leader* recently about how your department handled that very tragic crime in our City recently and we stand in admiration of you and the Police Department. So, if you could just update us on what’s happening.

Police Chief John Jaskolka stated thank you for that, your Honor. Obviously, it was important to the members of the department to get that recognition because a lot was said about how different deals came about including the threat of capital murder and that actually never happened...that we never on the table. It was an airtight case from the very beginning. It was recognized by both parties and that is why the plea came about and it was important for the men and women of the department to get that recognition. In regards to the activities that are going on now as it is with springtime we always seem to come across these problems with the midnight shift. What the OIC’s (Officers in Charge) have done is they’ve put out specialty patrols to go out and patrol the areas that it’s happening in...particularly in three different sector areas of the City. Secondly, the School Resource Officers through their contacts in the schools themselves are talking it up among the students and as is usually the case what will happen is someone will start talking about it and we’ll start getting the information and third and probably what’s most important to any police department in the nation is the cooperation of the citizens of their city, their town, their community. They are actually and I’ve said this and I will continue to say this...the citizens are always the eyes and ears of their police department. We have 205 members, we have 110,000 people in the

City putting out there somewhere 220,000 different eyes that can see what's going on and it's important for when they see something that's suspicious to call the station. If need be if it's happening in progress call 911, if not either one of the business lines. Obviously, we prefer to talk directly to the person because we can get the information from them and of course that can be done just like it is in Crime Line and done anonymously if you don't want to give your name you don't have to but again it is the citizens of the city who are the eyes and ears of any police department, any town, any city in the nation.

Mayor Baines asked and the number for Crime Line is what?

Chief Jaskolka replied 624-4040.

Mayor Baines stated and there's a reward being offered, correct.

Chief Jaskolka stated yes there is and I'm sure the Board knows it was the crime of the week this week.

Mayor Baines stated I thought it would be important just to get the additional information out to the citizens of Manchester, so we commend you for your efforts and we wish you well.

Report of the Special Committee on Solid Waste Activities:

Advising that it has supported a request that the Highway Department promulgate rules and regulations to go forward with toters for small commercial properties and non-profit organizations consistent with 91.62 of the Code of Ordinances.

Alderman Roy moved to accept, receive and adopt the report of the Special Committee on Solid Waste Activities. Alderman Forest duly seconded the motion.

Alderman DeVries stated I was just wondering if we could get a rundown...this is toters for small commercial and non-profits.

Mayor Baines requested Mr. Thomas approach.

Mr. Frank Thomas, Public Works Director, stated the Highway Department recommended to the Solid Waste Committee that we go forward with this totter program for small commercial and non-profits. Presently, as you know, residential customers in the City are allowed to have toters. What the Committee approved was our recommendation to permit up to two (2) toters for small commercial if we presently collect their refuse right now and as long as they are willing to recycle. So, it's a combination of us providing toters at our cost to them up to a limit of two and a commitment by the small commercials to recycle small cardboard products, etc.

Alderman DeVries asked is there an anticipated savings?

Mr. Thomas replied what the savings is will be on Worker's Comp claims. As you know we've been promoting these toters because they cut down on back injuries where we have the automatic dumping mechanism on the back of our refuse packers.

Alderman Roy stated just to let all of the Aldermen know this is one of the recommendations that was in the full report for the Solid Waste Committee from last year and just another step to reduce costs...not to go unnoticed are the very small words of "must recycle"...this is an extra service the City will be providing as long as those people that it's provided to recycle and that will be a definite cost savings.

Mayor Baines called for a vote on the motion to accept the report. There being none opposed, the motion carried.

Alderman Gatsas stated I had a call from Mr. Blouin of Auto City regarding some of the things that were supposed to happen by agreement or verbal agreement with some of the property in front of him by the developer at the baseball stadium. I don't know, Frank, have you been contacted by Mr. Blouin because he certainly was awful mad when I heard from him and I don't know if he's talked to you or not.

Mr. Thomas stated I've had discussions with him. Mr. Blouin has also had his attorney speaking to our City Solicitor's office and claim by Mr. Blouin was that he was promised certain things in conjunction with the swapping of the land by the original developers Downtown Visions, however, none of these promises were put in the form of any type of written legal agreement. As you know, there was an extensive amount of time and energy spent transferring that property, the right-of-way and I would have thought that if there were some agreements reached that they would have been put down in writing. That's not to say that some promises were made to Mr. Blouin that haven't been honored, but there is nothing in writing that we're aware of.

Alderman Gatsas stated I know that Mr. Blouin has been a taxpayer of this City for an awful lot of years. I don't think that he should be caught in the middle of a situation maybe that he was promised something, I don't know what those promises were but I would think that somebody either the developer...somebody needs to be accountable for some of the things that are happening because I understand its landscaping...maybe you can tell us what some of those concerns are that he has.

Alderman Lopez stated may I just explain a couple of things here. What I understand is between A and B, C being the City was not involved and if there's any legal questions in

reference to that property then I think that our city attorney and their attorney ought to work it out, I don't think we ought to be commenting whatsoever.

Mayor Baines stated I agree.

Alderman Gatsas stated, your Honor, will all due respect when Aldermen are getting calls...

Mayor Baines stated I agree with Alderman Lopez...

Alderman Gatsas stated that was City-owned land in the first place.

Mayor Baines stated I also agree with Alderman Lopez's assessment that this is in the hands of the attorneys and that is where it should remain.

Mayor Baines stated I have a couple of items to comment on. I do plan to make a nomination for the Economic Development Director's position at the next meeting of the Board of Mayor and Aldermen. I will be soon forwarding a packet of information to members of the Board with contact information, references, etc., etc. Currently, I'm going to be reviewing the present structure of the Economic Development division/office here in the City and will be making some recommendations that will be forthcoming as well. Secondly, and I'm going to try and get through this...we are convening a meeting next week with representatives from the American Cancer Society, Manchester Chapter and representatives from Boston. We have been working to put together the Mayor's Crusade Against Cancer. It's a project of the United States Conference of Mayors...there are a number of people on our staff including Steve Tellier and Joan Porter who are going to be working with me on that...two cancer survivors, Tim Bechert from the Verizon Wireless Arena who is going to be working with us as well and so we're excited about the opportunity to bring the message of cancer awareness to the citizens of Manchester. We already had a program here at City Hall on Colon Cancer Awareness but we intend to take this campaign city-wide and I'm also going to be doing this crusade in honor of...my sister was recently diagnosed with lung cancer...many of you know Shirley Brulotte very well and I'd ask you to keep her in your thoughts and prayers. She did begin her chemotherapy treatment yesterday and thoughts and prayers of all of you and people in this community would be very much appreciated. Thank you.

Alderman Lopez stated I just want to bring the Board of Mayor and Aldermen up-to-date and the public in reference to the World War II monument the Committee's in the process of verifying the names and the Committee has been working very hard on it. There's over 12,000 names that we have gathered through the archives and many a times people have walked into all the cemeteries in the City of Manchester in order to pick up all the World War II veterans. So, that's almost in the completion stage and I do want to thank Gilbane

100% they deserve credit and they're working on it and I hope the public will be patient and we'll get the monument built.

There being no further business to come before the Board, on motion of Alderman Smith, duly seconded by Alderman Thibault, it was voted to adjourn.

A True Record. Attest.

City Clerk